

**UNITED STATES DEPARTMENT OF JUSTICE
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW
OFFICE OF THE CHIEF ADMINISTRATIVE HEARING OFFICER**

_____)	
UNITED STATES OF AMERICA,)	
Complainant,)	8 U.S.C. § 1324a Proceeding
)	
v.)	OCAHO Case No. 97A00075
)	
PANAMERICANA TRAVEL)	Judge Robert L. Barton, Jr.
SYSTEM, INC.,)	
Respondent.)	
_____)	

DECISION AND ORDER APPROVING CONSENT FINDINGS

(April 24, 1997)

On March 13, 1997, a Complaint Regarding Unlawful Employment was filed by Complainant against Respondent, pursuant to 8 U.S.C. 1324a. Attached to the Complaint and incorporated therein by reference was a Notice of Intent to Fine (Notice), which had previously been personally served upon the Respondent on February 28, 1995.

Complainant and Respondent have filed a Stipulated Motion to Approve Consent Findings with attached Settlement Agreement Containing Consent Findings, signed by both parties, and a proposed Decision and Order Approving Consent Findings.

After reviewing the terms of the Settlement Agreement Containing Consent Findings (Settlement Agreement), I find that it generally complies with the requirements of 28 C.F.R. § 68.14(b) of the Rules of Practice and Procedure for Administrative Hearings Before Administrative Law Judges in Cases Involving Allegations of Unlawful Employment of Aliens and Unfair Immigration-Related Employment Practices (Rules of Practice). Specifically, the Rules of Practice require consent findings to contain the language provided in Section 68.14(b)(1)-(4), and the language in ¶¶ 5-8 of the Settlement Agreement substantially complies with the regulatory provision. Consequently, I conclude that the Settlement Agreement should be and is approved.

Further, I find that the Settlement Agreement fully disposes of the allegations set forth in the Complaint by providing that the Respondent pay the total sum of Fifteen Thousand Dollars (\$15,000.00) in full settlement and satisfaction of all claims against Respondent set forth in the Notice. It is evident that it is the intent of both parties to avoid further litigation and the costs associated with such litigation. I conclude that the proposed Settlement Agreement is fair and reasonable, and there is no reason not to approve it pursuant to 28 C.F.R. 68.14. On the basis of

the proposed Settlement Agreement, I find and conclude that Respondent has violated Section 274A(a)(1)(B) of the Act.

Accordingly, the numbered provisions proposed by the Parties in the Settlement Agreement Containing Consent Findings are adopted by this Court as the Consent Findings in this case. The Consent Findings are hereby approved and incorporated by reference in this Decision and Order, and all relief sought is hereby granted.

IT IS HEREBY ORDERED that Respondent pay a civil monetary penalty in the total sum of Fifteen Thousand Dollars (\$15,000.00) in accordance with the terms set forth in the Settlement Agreement and the numbered provisions therein which are adopted as Consent Findings.

This Decision and Order is the final order of the judge in accordance with Section 68.52(b) of the Final Rules of Practice and Procedure, supra. As provided in those Rules, id. at section 68.53, this Decision and Order shall become the final order of the Attorney General unless within thirty (30) days of this Decision and Order, the Chief Administrative Hearing officer vacates or modifies it.

ROBERT L. BARTON, JR.
ADMINISTRATIVE LAW JUDGE

CERTIFICATE OF SERVICE

I hereby certify that on this 24th day of April, 1997, I have served the foregoing Decision and Order Approving Consent Findings on the following persons at the addresses shown, by first class mail, unless otherwise noted:

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